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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,963	11/24/2003	Richard D. Dettinger	ROC920030278US1	5212

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IBM CORPORATION, INTELLECTUAL PROPERTY LAW
DEPT 917, BLDG. 006-1
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EXAMINER	
DWIVEDI, MAHESH H	

ART UNIT	PAPER NUMBER
2168	

MAIL DATE	DELIVERY MODE
11/14/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief	Application No. 10/720,963	Applicant(s) DETTINGER ET AL.	
	Examiner Mahesh H. Dwivedi	Art Unit 2168	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 22 October 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:
   a) ☒ The period for reply expires *3* months from the mailing date of the final rejection.
   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

   Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
   (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
   (b) ☐ They raise the issue of new matter (see NOTE below);
   (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
   (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
   The status of the claim(s) is (or will be) as follows:
   Claim(s) allowed: _____.
   Claim(s) objected to: _____.
   Claim(s) rejected: _____.
   Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

TIM VO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Mahesh Dwivedi
Patent Examiner, AU 2168
11/7/2007

Continuation of 11. does NOT place the application in condition for allowance because: The request for reconsideration filed on 10/22/2007 is acknowledged, but is not persuasive. Applicants argue on pages 11-12 that "The examiner relies on these passages to assert that Amro discloses providing a configuration file containing information regarding invocation of the functional modules...as recited by Claim 1. At best however, this passages cited by the Examiner reflect that a plug-in may be used to refine a list of websites returned by an internet search engine". However, the examiner wishes to refer to Column 10 of Amro which states "As depicted at block 147, predefined parameters to be processed by the plug-in program are designated. Those skilled in the art will appreciate that the operation described at block 147 may be utilized in accordance with a Graphical User Interface for allowing the user to specify search criteria and customization parameters. Those skilled in the art will also appreciate that such a Graphical User Interface can also present a selection/customization mechanism for the plug-in program. While it is possible to completely embody the customization of the search within the plug-in program, those skilled in the art will appreciate that such an implementation would not be very usable, since altering the search criteria would necessitate recompiling the plug-in program. Thus, a Graphical User Interface utilized in association with the plug-in program would be appropriate to handle a customization/selection mechanism" (Column 10, lines 20-35) and "The type of plug-in program utilized herein depends upon the desires of a user. The user determines how many predefined traits are to be utilized during a search. For example, a user may be knowledgeable about a certain topic, and may want to avoid certain sites or areas altogether. Depending upon the type of plug-in program designated by the user, the search engine calls this plug-in program to perform the search, avoiding sites or areas in response to instructions processed by the plug-in program" (Column 10, lines 52-60). The examiner further wishes to state that the "predefined parameters" used by a plug-in program are manually inputted by a user, and as a result, teach a configuration file. Applicants argue on page 12 that "no configuration file is access; instead the search engine results are processed by the plug0in dynamically, based on user input. Further, nothing in the act of a user specifying user input discloses a configuration file that includes "at least one output field produced by one of the plurality of functional modules"". However, the examiner wishes to refer to Columns 10-12 of Amro which state "A user-defined plug-in program thus functions between the actual search engine utilized by the user and the user. Search results from the search engine can be filtered through such user-defined plug-in programs. The filtered search results are then displayed for the user as the actual search results. Traditional search engines require the user to statically specify the search criteria in advance of performing the actual search. In a preferred embodiment of the present invention, however, dynamic search criteria are provided. The search provides an intelligent program that performs dynamic search decisions based on data presented to it during the search" (Column 10, lines 61-67-Column 11, lines 1-5), "If the plant life has a common name that results in a large number of hits resulting from a particular search via a search engine, a program that "plugs" into the search engine applies a series of tests and determinations to the resulting data stream of search engine "hits." Such algorithms are referred to in the art as "plug-in" programs or also as "plug-ins." The plug-in program determines if a given "hit" is linked to the few parts of the "world" in which the university professor knows that these particular types of plant life exist. Aside from the addition of an "AND" condition associated with the remote network location resulting from the data search by the search engine, the URL (Universal Resource Locator) associated with the resulting "hit" is checked by the plug-in program to exclude certain groups that are determined not to be useful to the professor" (Column 11, lines 10-25), and "As illustrated at block 185, the user performs search customizations (i.e., setting parameters) via a Graphical User Interface, assuming such a Graphical User Interface is utilized in association with the search engine. As depicted at block 186, a search is then performed and as depicted at block 187, the user "plug-in" program acts as a filter by comparing the search engine "hits" with the database of known (i.e., previous) hits. Undesirable hits are thus weeded out in this manner, and the desirable hits (i.e., "good" hits) are presented, as illustrated at block 188. Finally, as illustrated at block 190, a "hit" list and ranking of such hits is presented to the user" (Column 11, lines 59-67-Column 12, lines 1-2). The examiner wishes to state that the plug-in program of Amro uses user specifications, and therefore, a configuration file is used. Moreover, the instant application describes an input and outfield used as "each plug-in can accept a result set data object 165 as an input parameter and produce a result set data object 165 as an output parameter" (Paragraph 46). The examiner further wishes to state that the search results are used an input for Amro's plug-in program, and the refined search results produced by the plug-in is the output. Applicants argue on page 13 "the general goal of "improving efficiency in reducing overhead associated with processing," fails to provide any specific indication of just how the proposed combination would operate". However, Young's method deals with multiple plug-ins with associated configuration files. The addition of Young's method to Amro's would allow for multiple plug-ins to be accessed by a user to improve efficiency.